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IMPERIAL CO. *v.* TROTMAN.

June 9, 1910.

[68 S. E. 252.]

1. Master and Servant (§§ 101, 102*)—Injuries to Servant—Safe Place.—It is the duty of a master to exercise ordinary care to provide a reasonably safe place in which its servants are to work; the extent of such care depending on the circumstances of the particular case.

[Ed. Note.—For other cases, see Master and Servant, Cent. Dig. §§ 173, 179; Dec. Dig. §§ 101, 102.* 9 Va.-W. Va. Enc. Dig. 669, et seq.; 689, et seq.; 14 id. 685, et seq.]

2. Master and Servant (§ 278*)—Injuries to Servant—Negligence—Anticipation of Injury.—In an action for injuries to an employee in a fertilizer factory, evidence held to show that such injury was not reasonably to have been anticipated, and that the facts were insufficient to show that defendant was negligent in failing to provide a safe place in which to work.

[Ed. Note.—For other cases, see Master and Servant, Cent. Dig. §§ 954-972; Dec. Dig. § 278.* 9 Va.-W. Va. Enc. Dig. 680; 10 id. 375.]

Error to Law and Chancery Court of City of Norfolk.

Action by Lazarus Trotman against the Imperial Company. Judgment for plaintiff, and defendant brings error. Reversed.

Hughes & Little and *P. H. C. Cabell* for plaintiff in error.

W. D. Stoakley and *Loyd W. W. Brockenbrough*, for defendant in error.

WILLIAMS *v.* GREEN.

June 9, 1910.

[68 S. E. 253.]

1. Easements (§ 5*)—Private Right of Way—Prescription.—To establish a private right of way over the lands of another by prescription, it must appear that the use and enjoyment thereof was adverse, under a claim of right, exclusive, continuous, uninterrupted, and with the knowledge and acquiescence of the owner of the land over which it passes, and that such use has continued for a period of at least 20 years.

[Ed. Note.—For other cases, see Easements, Cent. Dig. §§ 13, 21, 26; Dec. Dig. § 5.* 11 Va.-W. Va. Enc. Dig. 310, et seq., 370; 14 id. 838, 844.]

2. Easements (§ 36*)—Private Right of Way—Continuous Use—Presumption of Grant.—Where an alleged private right of way has

*For other cases see same topic and section NUMBER in Dec. & Am. Digs. 1907 to date, & Reporter Indexes.